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#122/Response
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel Jacoff

Serial No.: 09/444,261

Filed: November 22, 1999

Patent Examiner: Gail Kaplan Verbitsky
Art Unit: 2859

For: VIAL AND METHOD OF MAKING SAME

MAIL STOP Non-Fee Amendment
Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

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RESPONSE

SIR:

This is in response to the Office Action dated July 1, 2003.

The Examiner's remarks have been carefully considered and the prior patents cited and applied have been carefully studied.

Claims 1, 8-11, 13, 20-25 and 35-45 remain in this application.

Claims 1, 8-11, 13, 20-25 and 43-45 stand allowed.

Reconsideration of the rejection of the Claims 35 to 42 is respectfully requested.

Claim 35 to 42 are directed to the method of making the vial in which the outer straight wall and the inner curved cavity are formed simultaneously. This enables all vials made by this method to be identical. The Examiner will appreciate that first making a vial with a straight outer wall and thereafter forming the inner cavity is time consuming, expensive and may not result in identical vials. Applicant's invention is an inexpensive method of doing both simultaneously in one step and insuring that all the vials made by the method are identical.